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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Hoffend, Jr., Donald A.

Atty. Docket:

85809.000022

Serial No.:

10/718,871

Examiner:

Filed:

November 21, 2003

Art Unit:

3652

Title:

MODULAR LIFT ASSEMBLY

# INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97 (b)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby submits an Information Disclosure Statement as set forth on the enclosed forms, PTO/SB/08a and PTO/SB/08b.

Copies of the foreign publications and their corresponding English language abstracts are included. An English language abstract of DD 255 522 is not available, therefore a copy of the International Search Report related to this application's parent filing, 09/627,537, is provided (MPEP III A3).

As this Statement is filed before the mailing of the first Office Action, Applicant believes there are no fees due at this time.

Respectfully submitted,

Brian B. Shaw, Registration No. 33,782

HARTER, SECREST & EMERY LLP

1600 Bausch & Lomb Place Rochester, New York 14604 Telephone: 585-232-6500

Fax: 585-232-2152

Dated: 18 much 2004

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INFORMATION DISCL STATEMENT BY ARE

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Sheet 1 of

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Complete if Known					
Application Number	10/718,871				
Filing Date	November 21, 2003				
First Named Inventor	Hoffend, Jr., Donald A.				
Art Unit	3652				
Examiner Name	·				
Attorney Docket Number	85809.000022				

			U.S. PATENT DO	CUMENTS	
Examiner Initials	Cite No. '	Document Number  Number-Kind Code² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-977,499 US-977,500	12-06-1910 12-06-1910	Bailey Bailey	rigures Appear
	· · · · · · · · · · · · · · · · · · ·	US-1,263,628 US-1,340,066	04-23-1918 05-11-1920	Vallen	
		US-1,473,336 US-1,821,563	11-06-1923 09-01-1931	Lemle Connelly	
		US-2,357,462 US-2,649,279	09-05-1944	Mitchell et al. Ferguson	
		US-4,046,235	08-18-1953 09-06-1977	Jones et al. Shutt	
		US-4,062,519 US-4,156,521	12-13-1977 05-29-1979	Jacobs Harman	
		US-4,251,059 US-4,324,386	02-17-1981 04-13-1982	Fougea Gagnon et al.	
		US-4,606,527 US-4,662,628	08-19-1986 05-05-1987	Ziller et al. Chatenay pouse Compagnone	
		US-5,031,574 US-5,141,085	07-16-1991 08-25-1992	McDowell McCormick	
		US-5,361,565 US-5,711,713	11-08-1994 01-27-1998	Bayer	
		US-6,520,485 US-6,364,062	02-18-2003 04-02-2002	Krueger Soot Ericson et al.	

			FOREIG	N PATENT D	OCUMENTS		
		Cite No.1 Country Code <sup>3</sup> · Number <sup>4</sup> · Kind Code <sup>5</sup> (if known)		THE PART OF THE PA	OCCIMENTS		
Examiner Initials				Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Te
		DD	255 522	04-06-1988	VEB SACHSISCHER BRUKEN	Порсат	+-
		DE	37 37 612	06-01-1989	REXROTH MANNESMANN		·
		5-			GMBH (DE)		1
		DE	42 04 153	08-1993	LICENTIA GMBH (DE)	<del> </del>	
		EP	0 540 136	05-05-1993	ELEPHANT CHAIN BLOCK CO		_
		EP	0 778 239	06-11-1997	OELSCH		
		FR	2 689 415	10-08-1993	FERNSTEUERGERAETE (DE)		
Examine	-			10-00-1993	SCENAB AB		
Signature	,				Date		
Oignature					Considered		- 1

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Substitute for form 1449B/PTO Complete if Known **Application Number** 10/718,871 INFORMATION DISCLOSURE Filing Date November 21, 2003 STATEMENT BY APPLICANT First Named Inventor Hoffend, Jr., Donald A. Art Unit (use as many sheets as necessary) 3652 Examiner Name Sheet of 2 Attorney Docket Number 85809.000022

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL!LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	Т
		Cyclorama Batten Systems, Regional Performing Arts Center, Philadelphia, PA. December 15, 1999.	
		English Abstract of publication DE 37 37 612	
		English Abstract of publication DE 42 04 153	
		English Abstract of publication EP 0 540 136	
		English Abstract of publication EP 0 778 239	
		English Abstract of publication FR 2 689 415	

Examiner		
	Date	
Signature	Considered	
	Considered	

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A. CLASSIFICATION OF SUBJECT MATTER IPC 7 B66D1/00 B66D1/39

A63J1/02

B66D5/22

According to International Patent Classification (IPC) or to both national classification and IPC

#### B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols) I PC  $\frac{7}{860}$   $\frac{860}{830}$ 

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

Category "	Citation of document, with indication, where appropriate, of the relevant passages	
	mere appropriate, of the relevant passages	Relevant to claim No.
x	DE 42 04 153 A (LICENTIA GMBH)	1,2,7,8,
Y	19 August 1993 (1993-08-19) the whole document	16 3,4,6,9,
4		10 5
	DD 255 522 A (SAECHSISCHER BRUECKEN UND STAH) 6 April 1988 (1988-04-06)	1,2,7,8,
.	the whole document	11,12 5
	DE 37 37 612 A (REXROTH MANNESMANN GMBH) 1 June 1989 (1989-06-01)	11,12
	the whole document	9,10 14,15
		14,15
	-/	

X Further documents are listed in the continuation of box C.	r	X Patent family members are listed in annex.
Special categories of cited documents :		
"A" document defining the general state of the art which is not considered to be of particular relevance  "E" earlier document but published on or after the international filing date  "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  "O" document referring to an oral disclosure, use, exhibition or other means  "P" document published prior to the international filing date but later than the priority date claimed		"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone  "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.  "\$" document member of the same patent family
Date of the actual completion of the international search		Date of mailing of the international search report
6 March 2002		0 9 09 2002
Name and mailing address of the ISA  European Patent Office, P.B. 5818 Patentlaan 2		Authorized officer
NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Sheppard, B
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onal Application No PCT/US 01/23875

C.(Continu Category °	DOCUMENTS CONSIDERED TO BE RELEVANT  Citation of document, with indication, where appropriate, of the relevant passages	 Polourat
	Challett 5: 555ument, Will included the propriate, of the relevant passages	Relevant to claim No.
Χ	FR 2 689 415 A (SCENAB AB) 8 October 1993 (1993-10-08)	11
Y	page 3, line 28 -page 4, line 22 figure 1	4,6
<b>〈</b>	EP 0 540 136 A (ELEPHANT CHAIN BLOCK CO) 5 May 1993 (1993-05-05) the whole document	20
,	EP 0 778 239 A (OELSCH FERNSTEUERGERAETE) 11 June 1997 (1997-06-11) the whole document	3
	US 4 062 519 A (JACOBS LAWRENCE O'QUINN) 13 December 1977 (1977-12-13) the whole document	13
	US 2 357 462 A (FERGUSON BERLIN S) 5 September 1944 (1944-09-05) the whole document	20
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US 4062519	Α,	13-12-1977	NONE	
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STATEMENT BY APPLICANT

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of

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Sheet

Complete if Known					
Application Number	10/813,424				
Filing Date	March 29, 2004				
First Named Inventor	Hoffend, Jr., Donald A.				
Art Unit	3654				
Examiner Name					
Attorney Docket Number	85809.000032				

			<b>U.S. PATENT DO</b>	CUMENTS	
Examiner Initials	Cite No.1	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
1	1	US-977,499	12-06-1910	Bailey	
	2	US-977,500	12-06-1910	Bailey	
	3	US-1,263,628	04-23-1918	Vallen	
	4	US-1,340,066	05-11-1920	Lemle	
	5	US-1,473,336	11-06-1923	Connelly	
	6	US-1,821,563	09-01-1931	Mitchell et al.	
	7	US-2,357,462	09-05-1944	Ferguson	
	8	US-2,649,279	08-18-1953	Jones et al.	
	9	US-4,046,235	09-06-1977	Shutt	·
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	11	US-4,156,521	05-29-1979	Harman	
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	13	US-4,324,386	04-13-1982	Gagnon et al.	
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	16	US-5,031,574	07-16-1991	McDowell	
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	1	DD	255 522	A1	04-06-1988	VEB SACHSISCHER BRUKEN		
	2	DE	37 37 612	A1	06-01-1989	REXROTH MANNESMANN GMBH (DE)		
	3	DE	42 04 153		08-1993	LICENTIA GMBH (DE)		
	4	EP	0 540 136	A1	05-05-1993	ELEPHANT CHAIN BLOCK CO (JP)		
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	6	FR	2 689 415		10-08-1993	SCENAB AB		

Examiner	Date	
Signature	1	dered

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STA	TEMENT E	BY APPLI	CANT	First Named Inventor Hoffend, Jr., Donald A.			
	(use as many she	ets as necess	any)	Art Unit	3654		
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Sheet	2	of	2	Attorney Docket Number	85809.000032		

	U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.1	Document Number-Kind Code <sup>2</sup> (ii		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	20	US-6,691,986	B1	02-17-2004	Hoffend, Jr.		
	21	US-6,634,622		10-21-2003	Hoffend, Jr.		
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		FOREIG	N PATENT DO	OCUMENTS		
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Examiner	Date	
Signature	Considered	

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Art Unit	3654			
Examiner Name				
Attorney Docket Number	85809.000028			

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		US-1,821,563	09-01-1931	Mitchell et al.	<u> </u>
		US-2,357,462	09-05-1944	Ferguson	
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			FORE	EIGI	N PATENT D	OCUMENTS			-
Examiner Initials	Cite No. <sup>1</sup>		Foreign Patent Document  y Code <sup>3</sup> · Number <sup>4</sup> · Kind Code <sup>5</sup> (if kn		Publication Date MM-DD-YYYY	Name of Patente Applicant of Cited Do		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>6</sub>
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		DE	37 37 612		06-01-1989	REXROTH MANNES	MANN		
		DE	42 04 153		08-1993	LICENTIA GMBH (DI	Ξ)		
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Examine Signature	· .					Date Considered			

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				Application Number	10/690,132	
	RMATION			Filing Date	October 21, 2003	
STAT	STATEMENT BY APPLICANT		First Named Inventor	Hoffend, Jr., Donald A.		
(u.	se as many shee	ets as nec	essanı)	Art Unit	3654	
				Examiner Name		
Sheet	2	of	2	Attorney Docket Number	85809.000028	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Cyclorama Batten Systems, Regional Performing Arts Center, Philadelphia, PA. December 15, 1999.	
		English Abstract of publication DE 37 37 612	,
		English Abstract of publication DE 42 04 153	
		English Abstract of publication EP 0 540 136	
		English Abstract of publication EP 0 778 239	
		English Abstract of publication FR 2 689 415	
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### NTE ATIONAL SEARCH REPORT

onal Application No

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Υ	FR 2 689 415 A (SCENAB AB) 8 October 1993 (1993-10-08) page 3, line 28 -page 4, line 22 figure 1	11 4,6
X .	EP 0 540 136 A (ELEPHANT CHAIN BLOCK CO) 5 May 1993 (1993-05-05) the whole document	20
,	EP 0 778 239 A (OELSCH FERNSTEUERGERAETE) 11 June 1997 (1997-06-11) the whole document	3
	US 4 062 519 A (JACOBS LAWRENCE O'QUINN) 13 December 1977 (1977-12-13) the whole document	13
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		: .

### INTE TIONAL SEARCH REPORT

PCT/US 01/23875

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 B66D1/00 B66D1/39

A63J1/02

B66D5/22

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols) I PC 7-B66D-A63J

Documentation searched other than minimum documentation to the extent that such documents are included, in the fields searcher

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUM	ENTS CONSIDERED TO BE RELEVANT	
Category "	Citation of document, with indication, where appropriate, of the relevant passages	 Relevant to claim No.
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X A X Y A	DD 255 522 A (SAECHSISCHER BRUECKEN UND STAH) 6 April 1988 (1988-04-06) the whole document  DE 37 37 612 A (REXROTH MANNESMANN GMBH) 1 June 1989 (1989-06-01) the whole document /	1,2,7,8, 11,12 5 11,12 9,10 14,15

X Further documents are listed in the continuation of box C.	Patent family members are listed in annex.
"A" document defining the general state of the art which is not considered to be of particular relevance.  "E" earlier document but published on or after the international filing date.  "L" document which may finow doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason is specified).  "O" document reterring to an oral disclosure, use, exhibition or other means.  "P" document published prior to the international filing date but later than the priority date claimed.	To later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention.  "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken atone.  "I" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.  "S" document member of the same patent tamily.
Date of the actual completion of the international search  6 March 2002	Dale of mailing of the international search report
Name and mailing address of the ISA  European Patent Office, P.B. 5818 Patentlaan 2  NL - 2280 HV Rijswijk  Tel. (+31-70) 340-2040, Tx. 31 651 epo nf.	Authorized officer
Fax: (+31-70) 340-3016	Sheppard, B

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Anadion on patent family members

tional Application No PCT/US 01/23875

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US 4062519	Α	13-12-1977	NONE	
US 2357462	Α	05-09-1944	NONE	

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 2

to the manual in						
Complete if Known						
Application Number 09/627,537						
Filing Date	July 28, 2000					
First Named Inventor	Hoffend, Jr., Donald A.					
Group Art Unit						
Examiner Name						
Attorney Docket Number	85809.000003					

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS							
Examiner Initials	Cite No. <sup>1.</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	appropriate) title of the item				
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Examiner	Date	
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



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Sheet of 1

Complete if Known					
Application Number 10/274,725					
Filing Date	October 19, 2002				
First Named Inventor	Hoffend, Jr., Donald A.				
Group Art Unit	3654				
Examiner Name	Marcelo, Emmanuel Monsayac				
Attorney Docket Number	85809.000021				

	U.S. PATENT DOCUMENTS						
Examiner	Cite	U.S. Patent Document		Name of Patentee or Applicant of	Date of Publication of Cited Document	Pages, Columns, Lines, Where	
Initials	No. <sup>1</sup>	Number	(if known)	Cited Document	MM-DD-YYYY	Relevant Passages or Relevant Figures Appear	
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		4,046,235		Shutt			
		5,141,085		McCormick			
		4,062,519		Jacobs			
		2,357,462		Ferguson			
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Examiner Initials	Cite No. <sup>1</sup>	Foreign Paten Office <sup>3</sup> Numbe	5	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>6</sub>		
		DE 42 04	153	Licentia GmbH					
		DD 255 52	2	Sächsischer Brucken und Stah					
		DE 37 37 6	512	Rexroth Mannesmann GmbH					
		FR 2 689 4	15	Scenab AB					
		EP 0 540 1	36	Elephant Chain Block Co.					
		EP 0 778 2	239	Oelsch Fernsteuergeräte					
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<sup>&</sup>lt;sup>1.</sup> Unique citation designation number. <sup>2.</sup> See attached Kinds of U.S. Patent Documents. <sup>3.</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST .3). <sup>4.</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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				Application Number	10/274,725		
INF	ORMATION I	DISC	LOSURE	Filing Date	October 19, 2002		
STA	TEMENT BY	AP	PLICANT	First Named Inventor	Hoffend, Jr., Donald A.		
				Group Art Unit	3654		
(use	e as many sheet	ts as r	necessary)	Examiner Name	Marcelo, Emmanuel Monsayac		
Sheet	2	of	2	Attorney Docket Number	85809.000021		

	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS							
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Signature	Considered	

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Application Number 10/717,886

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INFORMATION DISCEOSUR

Filing Date November 20, 2003

First Named Inventor Hoffend, Jr., Donald A.

Art Unit 3654

Examiner Name

Sheet 1 of

Attorney Docket Number 85809.000029

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Examiner Initials	Cite No.'	Document Number  Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Palentee or Applicant of Cited Document	Pages, Columns, Unes Where Relevant Passages or Relevant Figures Appear				
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Examiner Initials	Cite No. <sup>1</sup>		Foreign Patent Docum y Code <sup>3</sup> : Number <sup>4 :</sup> Kind Cod		Publication Date MM-DD-YYYY	Name of Patent Applicant of Cited D		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
aw-		DD	255 522		04-06-1988	VEB SACHSISCHE	R BRUKEN		
Qu-		DE	37 37 612		06-01-1989	REXROTH MANNES GMBH (DE)	SMANN		
an		DE	42 04 153		08-1993	LICENTIA GMBH (D	F)		├
am		EP	0 540 136		05-05-1993	ELEPHANT CHAIN (JP)			
an		EP	0 778 239		06-11-1997	OELSCH FERNSTEUERGERA	AFTF (DF)		
am		FR	2 689 415		10-08-1993	SCENAB AB	10 (0.0)		
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				Application Number	10/717,886	
INFC	PMATIO	V DISCLO	SURE	Filing Date	November 20, 2003	
STA	TEMENT	BY APPL	ICANT	First Named Inventor	Hoffend, Jr., Donald A.	
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		———————	sary)	Examiner Name		
Sheet	2	of	2	Attorney Docket Number	85809.000029	

<u></u>		NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. <sup>1.</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.						
ann		Cyclorama Batten Systems, Regional Performing Arts Center, Philadelphia, PA. December 15, 1999.						
		English Abstract of publication DE 37 37 612						
		English Abstract of publication DE 42 04 153						
		English Abstract of publication EP 0 540 136						
		English Abstract of publication EP 0 778 239						
an	_	English Abstract of publication FR 2 689 415						

Examiner		Date	
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Signature	TAMAIN OVAN	Considered	1 8 - 80 (16)
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Notice of References Cited

Application/Control No.

10/717,886

Applicant(s)/Patent Under Reexamination HOFFEND,, DONALD A.

Examiner

Emmanuel M Marcelo

Art Unit
Page 1 of 1

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	N	EP0639684A1	08-1994	Europe	Wallis et al	52/731.2
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#### NON-PATENT DOCUMENTS

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